



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

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TO: SACHI A. HAMAI
Executive Officer
Board of Supervisors

Attention: Agenda Preparation

FROM: PATRICK A. WU 
Senior Assistant County Counsel

RE: **Item for the Board of Supervisors' Agenda**
County Claims Board Recommendation
Rene Castillo v. County of Los Angeles
United States District Court Case No. CV 12-02760 ODW (JEMx)

Attached is the Agenda entry for the Los Angeles County Claims Board's recommendation regarding the above-referenced matter. Also attached are the Case Summary and the Summary Corrective Action Plan to be made available to the public.

It is requested that this recommendation, the Case Summary, and the Summary Corrective Action Plan be placed on the Board of Supervisors' agenda.

PAW:rfm

Attachments

Board Agenda

MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Rene Castillo v. County of Los Angeles, United States District Court Case No. CV 12-02760 ODW (JEMx), in the amount of \$180,000 and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Department of Children and Family Services' budget.

This lawsuit alleges a civil rights violation for the entry of a name into the Child Welfare Services Case Management System database by the Department of Children and Family Services.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Rene Castillo v. County of Los Angeles
CASE NUMBER	CV12-02760 ODW (JEMx)
COURT	United States District Court
DATE FILED	March 29, 2012
COUNTY DEPARTMENT	Department of Children and Family Services
PROPOSED SETTLEMENT AMOUNT	\$ 180,000
ATTORNEY FOR PLAINTIFF	Diane B. Weissburg Weissburg Law Firm
COUNTY COUNSEL ATTORNEY	Takin Khorram Deputy County Counsel Social Services Division Patricia Ellyatt Maranga Morgenstern
NATURE OF CASE	Plaintiff's civil rights were violated when his name was entered into the Child Welfare Services Case Management System database.
PAID ATTORNEY FEES, TO DATE	\$ 73,578
PAID COSTS, TO DATE	\$ 6,437

Case Name: 12-1097311*001 - CASTILLO, RENE



Summary Corrective Action Plan

The intent of this form is to assist departments in writing a corrective action plan summary for attachment to the settlement documents developed for the Board of Supervisors and/or the County of Los Angeles Claims board. The summary should be a specific overview of the claims/lawsuits' identified root causes and corrective actions (status, time frame, and responsible party). This summary does not replace the Corrective Action Plan form. If there is a question related to confidentiality, please consult County Counsel.

Date of Incident/event:	11/15/2011
Briefly provide a description of the incident/event:	Plaintiff alleges emotional distress as a result of having his name and identifying information listed on the CWS/CMS database.

1. Briefly describe the root cause(s) of the claim/lawsuit:

Cause Type: Non-Root Cause Corrective Action

No corrective actions are contemplated at this time; the root cause of the incident is plaintiff's challenge of County policy based on State regulations. The Department followed all relevant policies, procedures and State laws.

2. Briefly describe recommended corrective actions:

(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

Step Name: Monitoring of State laws and regulatory changes

Scheduled Completion 11/20/2013

Date:

No corrective actions are contemplated at this time; the root cause of the incident is plaintiff's challenge of County policy based on State regulations. The Department followed all relevant policies, procedures and State laws.

3. Are the corrective actions addressing department-wide system issues?

☐ Yes - The corrective actions address department-wide system issues.

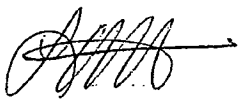
☒ No - The corrective actions are only applicable to the affected parties.

County of Los Angeles
Summary Corrective Action Plan

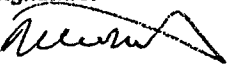
Name: (Risk Management Coordinator) Michelle R. Victor	
Signature:	Date:

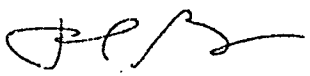
Name: (Department Head) 	
Signature:	Date:

Chief Executive Office Risk Management Inspector General USE ONLY	
Are the corrective actions applicable to other departments within the County?	
<input type="checkbox"/> Yes - The corrective actions potentially have County-wide applicability	
<input checked="" type="checkbox"/> No - The corrective actions are applicable only to this department	

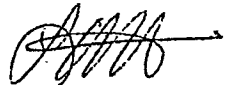
Name: (Risk Management Inspector General) Leonardo Costantino	
Signature: 	Date: 12/3/13

County of Los Angeles
Summary Corrective Action Plan

Name: (Risk Management Coordinator) Michelle R. Victor	
Signature: 	Date: 12.3.13

Name: (Department Head) PHILIP L. BROWNING	
Signature: 	Date: 12/9/13

Chief Executive Office Risk Management Inspector General USE ONLY	
Are the corrective actions applicable to other departments within the County?	
<input type="checkbox"/> Yes - The corrective actions potentially have County-wide applicability.	
<input checked="" type="checkbox"/> No - The corrective actions are applicable only to this department.	

Name: (Risk Management Inspector General) Leonardo Costantino	
Signature: 	Date: 12/3/13